



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.10.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.20119 of 2013  
and M.P.No.1 of 2013

G.Chandrasekaran

...Petitioner

Vs

1. The District Revenue Officer,  
Office of the Collector of Chennai,  
Fourth Floor, Singaravelan Maaligai  
Rajaji Salai, Chennai - 600 001.

2. The Tahsildar,  
Egmore - Nungambakkam Taluk,  
Spurtank Road,  
Chetpet, Chennai - 600 031.

3. Bijiraj

4. Rejini Raj

... Respondents

Prayer : Writ Petition has been filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari to call for the records in respect of the order bearing No.K.Dis.No.J3/12333/2012 dated 05.06.2013 passed by the first respondent and quash the same.

For Petitioner : Mr.L.Rajasekar

For Respondents : Mr.Richardson Wilson,  
1 & 2 Government Advocate

For Respondent 3 : Mr.P.P.Purushothaman

For Respondent 4 : No Appearance



## O R D E R

This writ petition has been filed to issue a Writ of Certiorari to call for the records in respect of the order bearing No.K.Dis.No.J3/12333/2012 dated 05.06.2013 passed by the first respondent and quash the same.

2. The case of the petitioner is that he purchased the property admeasuring 2440 sq.ft. comprised in T.S.No.85, Block No.60 bearing Door No.10/1B, Srinivasa Nagar Second Street, Annexe, Koyembedu, Chennai from one P.V.Jeyaganthammal by the registered sale deed dated 27.05.1978 vide Document No.1017 of 1978. Thereafter, the petitioner applied for patta and he received patta on 09.02.1993. Thereafter, he has put up construction and the property has been assessed to the Corporation Tax and also other Revenue Authorities.

3. Originally the land was purchased by P.Venkatarama Naidu and K.Mangammal by the sale deed dated 20.11.1933 registered vide Document No.1735 of 1933. Thereafter, the said property was settled in favour of one Jeyaganthammal, the petitioner's vendor, by the settlement deed bearing Document No.1575 of 1936. While being so, the fourth respondent approached the first respondent to cancel the patta issued in favour of the petitioner on the ground that the entire extent of the property owned by one Chengammal and she laid out the property in which, the fourth respondent's mother Papuraj in the year 1967 by the registered sale deed dated 07.06.1967 registered vide Document No.1709 of 1967.

4. Therefore, the said Jeyaganthammal had no title over the property, since she was not settled any of the property as recited in the sale deed. On verification of all documents, the first respondent cancelled the patta issued in favour of the petitioner. Therefore, this Court finds no infirmity or illegality in the order passed by the first respondent. However, the petitioner is at liberty to approach the Civil Court to ascertain the title over the property in his favour. If the petitioner succeeded in the suit it can very well approach the second respondent for issuance of patta in respect of the subject property.

5. On receipt of the said application the second respondent is directed to conduct enquiry after issuance of notice to the parties concerned and pass orders on merits in accordance with law. It is also made clear that the Civil Court is directed to dispose of the suit filed by the petitioner, if any without influenced by any of the observations made by the Revenue Officials. Till the disposal of the suit, the possession of the



petitioner shall not be disturbed by the third and fourth respondents herein. The respondents 1 and 2 are directed to maintain status quo with regard to issuance of patta.

6. Accordingly, this writ petition is dismissed. No order as to costs. Consequently, the connected M.P.No.1 of 2013 is dismissed.

Sd/-  
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

rna

To

1. The District Revenue Officer,  
Office of the Collector of Chennai,  
Fourth Floor, Singaravelan Maaligai  
Rajaji Salai, Chennai - 600 001.

2. The Tahsildar,  
Egmore - Nungambakkam Taluk,  
Spurtank Road,  
Chetpet, Chennai - 600 031.

+1CC to Mr.L.Rajasekar, Advocate, Sr.No.54189

+1CC to Mr.P.P.Purushothaman, Advocate, Sr.No.54209

+1CC to Mr.Government Pleader, Sr.No.55073

W.P.No.20119 of 2013  
and M.P.No.1 of 2013

GJ (CO)

K.RK. (17.11.2021)